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SUBJECT: ISCI BLOC LEADER GUNNING FOR IHEC, OPTIMISTIC ON
OPEN LIST ELECTION LAW

Classified By: Political Minister Counselor Gary A. Grappo for reasons
1.4 (b), (d).

¶1. (C) SUMMARY: Islamic Supreme Council of Iraq (ISCI) COR bloc leader Jalal al-Din al-Saghir predicted to POL M/C that the Council of Representatives (COR) would pass an open list election law by October 19. Despite advising him against dismissing members of the Independent High Electoral Commission (IHEC), Saghir said he will pursue the removal of at least four IHEC commissioners because of alleged electoral fraud during the January 2009 provincial elections and IHEC's unsatisfactory performance. Saghir warned that if the national election is not transparent, political entities might resort to violence to protest the legitimacy of the vote. END SUMMARY.

Predicts Passage of Open List Election Law

¶2. (C) In an October 17 meeting with POL M/C, ISCI bloc leader and cleric Jalal al-Saghir predicted passage of a national election law by Monday, October 19, claiming that Sunni Arabs and Turkomen would reach a compromise on electoral representation for Kirkuk, the last obstacle blocking the legislation. Saghir said Arabs and Turkomen in Kirkuk understand that preventing Kirkuk from participating in the January 2009 provincial elections was a mistake because it allowed the Kurds to reinforce their hold on the city. Saghir claimed that ISCI and a majority in the COR want an open list election system similar to the balloting used in the provincial elections. Once the Kurds are satisfied with the compromise on Kirkuk, they too will vote for open lists, asserted Saghir. Saghir added that ISCI would protest any effort to have the COR vote on the election law by secret ballot as this would provide cover for parties that seek to defy strong public support for the open list option.

Still Gunning for IHEC

¶3. (C) Saghir blasted IHEC for being a biased and politicized institution. He said that if the current IHEC membership remains unchanged, continued mismanagement of the body would result in illegitimate elections. Saghir claimed that there was "massive fraud" during the provincial elections and that the IHEC chairman's explanations to the COR during questioning on October 5 was unsatisfactory. ISCI accordingly wants to change at least four IHEC commissioners with members of Iraq's previous electoral commission; the COR could select an entirely new IHEC following the January 2010 national election. Saghir recommended that the COR remove IHEC chairman, Faraj al-Haidari, a Kurd, along with three other members--two Shia and one Sunni.

¶4. (C) Saghir stated that along with ISCI and Fadhila, the Sunni Iraqi Islamic Party (IIP) and the Kurdish bloc are willing to accept this course of action. Saghir asked that the Embassy and the United Nations Assistance Mission Iraq (UNAMI) seek to convince PM Maliki--the lone holdout, he

claimed--to accept a change at IHEC. POL M/C warned that removing IHEC members now would appear overly politicized and weaken Iraq's electoral institution too close to the January 2010 voting, a position that UNAMI shares with the Embassy. Saghir replied these risks could be mitigated by swapping IHEC members with experienced members of the former electoral commission. (Note: On September 23, ISCI chairman Ammar al-Hakim told the Ambassador that ISCI did not favor removing any IHEC commissioners. This is a notable policy difference between the newly appointed, young Hakim and the older, bloc leader Saghir. End note.) Saghir also criticized the head of Qleader Saghir. End note.) Saghir also criticized the head of the UNAMI Electoral Assistance Team, Sandra Mitchell, for failing to prevent IHEC's problems and then covering up its mistakes. (Comment: Saghir's ire toward UNAMI is probably due in part to Mitchell's role in forcing ISCI-affiliated IHEC commissioner Qasim Aboudi in mid-September to give up his IHEC leadership role as Chief Electoral Officer and replacing him with Da'wa-affiliated Hamdia al-Husseini. Aboudi remains an IHEC commissioner, but with less authority. End Comment.)

Concerns about Electoral Violence

15. (C) Saghir said the stakes are high for IHEC's ability to prevent fraud because political entities might resort to violence if they feel voting in the national election is not transparent. (Note: Saghir implied, but did not directly state, that unless IHEC was revamped, some Iraqis/parties dissatisfied with the election results might violently protest the entire process. End note.) Saghir highlighted the August 19 bombings in Baghdad and perceived poor

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coordination between the Interior and Defense ministries as examples of the current government's failures. He rebuked PM Maliki for unilaterally blaming Syria for the August 19 attacks without consulting other political parties, the Presidency Council or the COR.

Electoral Alliances Consolidating

16. (C) Saghir predicted that there will be five or six major electoral alliances competing in the January election--the Shia-dominated Iraqi National Alliance (INA), the Maliki-led State of Law Alliance (SLA), a Kurdish bloc, the Sunni Tawafuq coalition, and a list headed by former PM Iyad Allawi and Sunni COR member Salah al-Mutlaq. The primary competition to form the next government, however, will be between the INA and SLA. Saghir was optimistic about the INA's chances and asserted that the INA has good relations with the Kurds, Allawi, Tawafuq and Sunni tribal leader Ahmed Abu Risha--all of whom are displeased with Maliki. Saghir said that if Allawi were to join the INA, he would receive an "important role."

17. (C) Comment: Saghir recently used his pulpit at the influential Buratha Mosque in Baghdad to criticize IHEC, but he has also called participation in the upcoming national election a "religious duty." His indignation against IHEC is troubling and reflects ISCI's belief that PM Maliki unfairly used government institutions to sway the provincial elections in his favor. Obtaining the needed absolute majority (138) of votes in the COR to dismiss commissioners, however, will be a high bar. Short of removing IHEC commissioners, Saghir might be satisfied with more legislative oversight and monitoring of IHEC, but he could also be laying the groundwork for a more dangerous ploy: setting up IHEC as the scapegoat should ISCI/INA again lose out against Maliki at the polls. End Comment.

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